

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CRYSTAL COMMUNICATIONS, INC., Complainant, vs. U S WEST COMMUNICATIONS, INC., Respondent.	DOCKET NO. FCU-00-2
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**ORDER DOCKETING COMPLAINT AND
ESTABLISHING PROCEDURAL SCHEDULE**

(Issued June 26, 2000)

On May 24, 2000, Crystal Communications, Inc. (Crystal), filed a complaint against U S WEST Communications, Inc. (U S WEST). Iowa Code §§ 476.100 and 476.101 (1999) appear to apply to the complaint. Crystal alleges U S WEST is engaging in certain prohibited and anticompetitive acts in violation of the statute. The filed complaint requests that the Utilities Board (Board) "investigate the complaint, evaluate the actions of U S WEST, order U S WEST to undertake affirmative actions to remedy the problem, prohibit U S WEST from engaging in similar conduct in the future," as well as other actions the Board might deem appropriate.

In the filed complaint, Crystal alleges that U S WEST has recently disconnected a number of Crystal's resale customers based on orders from the customers' previous service provider, ComSouth. According to the filing by

Crystal, U S WEST has acknowledged that the disconnections were made in error.

Iowa Code § 476.101(8) (1999) provides, in relevant part, that when the Board initiates formal complaint proceedings in response to a written complaint regarding a local exchange carrier's compliance with §§ 476.96 through 476.102, "[t]he board shall render a decision in the proceeding within ninety days after the date the written complaint was filed." Thus, the deadline for Board action in this docket is August 22, 2000, and the Board is docketing this matter and establishing a procedure to address the issue that will satisfy that requirement.

The Board has some latitude in the handling of these complaints. Pursuant to Iowa Code § 476.101(8), "[U]pon the filing of such complaint, the board **may** promptly initiate a formal complaint proceeding." The Board is interested in resolving these matters as quickly as possible. In the complaint filed by Crystal, it appears that the factual situation is not complex and the issue is limited to one set of circumstances.

The Board will require that U S WEST file a response to the complaint filed by Crystal within seven days of this order. Following the response by U S WEST, the Board will convene a meeting between Crystal, U S WEST, and the Consumer Advocate Division of the Department of Justice (Consumer Advocate). This meeting, which is intended to clarify the facts and resolve differences, will be facilitated by the Board's staff. If no resolution can be reached through this process, the Board will set an expedited schedule for a hearing to resolve this matter.

IT IS THEREFORE ORDERED:

1. The complaint filed on May 24, 2000, by Crystal Communications, Inc., against U S WEST Communications, Inc., is docketed for investigation as Docket No. FCU-00-2.

2. The following procedural schedule is established for this proceeding:

a. U S WEST shall file a response to the complaint within 7 days of the issuance of this order.

b. A meeting will be convened on July 10, 2000, between Crystal, U S WEST, and Consumer Advocate, facilitated by the Board's staff. The meeting will commence at 10 a.m. at the Board's offices at 350 East Maple Street, Des Moines, Iowa.

c. After reviewing a staff report on the meeting, the Board will schedule a hearing, if necessary.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 26th day of June, 2000.